

**From:** Wayne Hedberg  
**To:** LKunzler  
**Date:** Mon, Jan 4, 1999 3:46 PM  
**Subject:** Documentation of Phonecall - Dan Powell (Cherry Hill Quarry) M/049/021

On January 4, 1999, Dan Powell of Emery Industrial Resources called Lynn Kunzler and me in response to his receipt of our December 9, 1998 letter. Our letter had requested (among other things) an updated surface disturbance/surface facilities map which was due January 4th.

Mr. Powell requested additional time until the end of the week to hand deliver the revised map to our offices. We agreed to the extension and established a meeting for 2:00pm on January 8th.

Mr. Powell questioned the accuracy of the following issues as outlined in our December 9th letter:

1. *Our statement that his certified letter and map to address our previous (January 12, 1998) request for information had not been received to date.* He stated that he had a signed green card indicating that we had received this information on March 3, 1998. The mine file record for this mine does not contain this information (perhaps it was misfiled?).

2. *Our statement that we had not received his 1997 annual report.* Mr. Powell stated he hand delivered this annual report to our office on February 5, 1998. He stated he had a copy of the report form with our received date stamp in his files (perhaps this was also misfiled?).

Mr. Powell stated that he had reclaimed the disturbed area(s) that were committed to in his February 27, 1998 letter. He said the reclamation work was performed between June and October of this year. He estimated that @6-7 acres had been reclaimed. He wasn't sure (without performing an actual land survey), but believed his overall disturbances is now close to 5 acres.

He asked that we modify our records to reflect that Gerald Powell be dropped as a contact person for the company. We had Joelle Burns make this change to the dbase records immediately following our phone conversation.

Mr. Powell stated that our records for the Clay King South project (S/015/064) listing it as "inspect" were inaccurate. He stated he was retaining his state lease on this property and we should list it as "inactive". I stated we would double check our records and revise the file accordingly if appropriate. (We subsequently found out he had not filed his permit fee for this site, thus the "to be inspected" listing). He also stated that our "inactive" listing for the Cherry Hill site should be changed to "active". We explained we normally assign an "inactive" status to mines when we do not receive the required annual reports (1997 report missing from mine file).

Mr. Powell agreed to bring in his revised disturbed area map, his 1998 annual report, and another copy of his 1997 annual report for the Cherry Hill Quarry on January 8th. We will discuss any other outstanding issues at that time.

**JOELLE, PLEASE DIRECT A COPY OF THIS EMAIL TO THE MINE FILE (M/049/021)**

**CC:** Jburns